

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

MAY 28 2009

IN THE MATTER OF THE NOTICE OF)
VIOLATION AND ORDER ISSUED TO:)
Robert Senitte, President)
Painter Estates Homeowners Association)
P.O. Box 2967)
Cody, Wyoming 82414)

Docket No. 05-027A Executive Secretary
Environmental Quality Council

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY'S RESPONSE
TO PAINTER ESTATES HOMEOWNER ASSOCIATION'S PETITION

Wyoming Department of Environmental Quality (DEQ), pursuant to the Wyoming Environmental Quality Council's (EQC) Response Order dated and filed April 28, 2009, hereby answers Painter Estates Homeowners Association's (Painter Estates) Appeal and Request for Hearing in the above-captioned matter.

Painter Estates filed a letter (petition) with the EQC simply stating that it "wishes to appeal the order and would like to request a hearing on the notice of violation and order, [DEQ] docket number 4437-09." That petition letter does identify the order being appealed, but it does not allege any facts on which the appeal is based or identify the basis for the appeal. Consequently, Respondent DEQ admits that it issued Notice of Violation & Order No. 4437-09 to Painter Estates, but generally denies any other, latent allegations in the petition letter.

DATED this 28th day of May, 2009.



Mike Barrash (Bar No. 5-2310)
Senior Assistant Attorney General
123 State Capitol Building
Cheyenne, Wyoming 82002
307-777-6946

CERTIFICATE OF SERVICE

This certifies that a true and correct copy of the foregoing WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY'S RESPONSE TO PAINTER ESTATES HOMEOWNER ASSOCIATION'S PETITION was served this 28th day of May, 2009 by United States mail, first class postage prepaid, addressed as follows:

Doc Asay
10728 East Platte River Rd.
Evansville, WY 82636

A handwritten signature in black ink, appearing to read "N. B. Asay", is written over a horizontal line.